

Exhibit

28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATIONWIDE LIFE INSURANCE COMPANY,
a foreign corporation,

Plaintiff,

Civil Action

No. 2:11-cv-12422-AC-MKM

Honorable Avern Cohn

vs.

WILLIAM KEENE, JENNIFER KEENE,
MONICA LYNN LUPILOFF, NICOLE RENEE
LUPILOFF, and NICOLE RENEE LUPILOFF,
PERSONAL REPRESENTATIVE OF THE
ESTATE OF GARY LUPILOFF, Deceased,

Defendants.

Michael F. Schmidt (P25213)
Harvey, Kruse, P.C.
Attorney for Plaintiff
1050 Wilshire Drive, Suite 320
Troy, Michigan 48084
Telephone: (248) 649-7800

John H. Bredell (P36577)
Bredell & Bredell
Attorney for Defendants,
William and Jennifer Keene
119 N. Huron Street
Ypsilanti, Michigan 48197
Telephone: (734) 482-5000

Albert L. Holtz (P15088)
Albert L. Holtz, P.C.
Attorney for Monica Lupiloff, Nicole Lupiloff
and Nicole Lupiloff, Personal Representative of
the Estate of Gary Lupiloff, Deceased
3910 Telegraph Road, Suite 200
Bloomfield Hills, Michigan 48146

Geoffrey N. Fieger (P30441)
Jeffrey A. Danzig (P36571)
Fieger, Fieger, Kenney & Giroux, P.C.
Co-Counsel for Monica Lupiloff,
Nicole Lupiloff and Nicole Lupiloff,
Personal Representative of the Estate of
Gary Lupiloff, Deceased
19390 West Ten Mile Road
Southfield, Michigan 48075
Telephone: (248) 355-5555

**DEFENDANTS SUPPLEMENTAL ANSWERS TO INTERROGATORIES TO
PLAINTIFF NATIONWIDE LIFE INSURANCE COMPANY**

NOW COMES the above-named Defendants, Monica Lynn Lupiloff, Nicole Renee Lupiloff, and Nicole Renee Lupiloff, as Personal Representative of the Estate of Gary Lupiloff, Deceased, by and through her attorneys, and hereby submits the following Supplemental Answers to Plaintiff Nationwide's Interrogatories, and states as follows:

2). Plaintiff Nationwide's original Complaint, at paragraph 12 contained a typographical error, as did Plaintiff Nationwide's Interrogatories to Defendant Lupiloffs, at Interrogatory #2 and #3. We now recognize that Plaintiff Nationwide's Amended Complaint, filed on 08/03/11, corrected this typographical error and as such, we now recognize that Interrogatory number 2, and number 3, should have had the date of 6/11/07, as the date Nationwide received the change of beneficiary form, as opposed to 06/11/04.

2(c) and 3(c). See attached signature exemplars of Gary Lupiloff. Speckin Forensic Labs was provided both Plaintiffs' Exhibits B and C along with the attached signature exemplars of Gary Lupiloff (See attached).

3) and 4). Under Plaintiff Nationwide's policy provisions, pages 3 to 5, section entitled: Owner and Beneficiary Provisions. The policy language states that any requests for change of ownership must be made in writing and recorded at the home office. For Change of Beneficiary, the policy states that any change of beneficiary must be made in written form satisfactory to us and recorded at our home office. The policy further states under this section, "We may require that you send us your policy for endorsement before making a change".

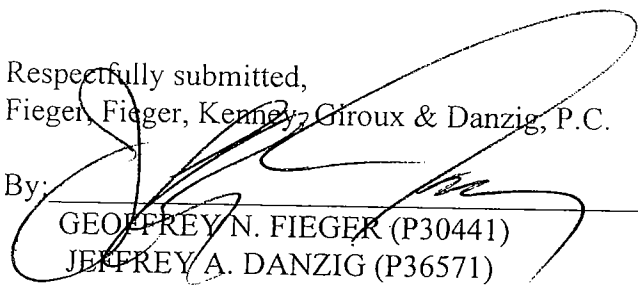
With respect to the Change of Ownership Request (Exhibit C, attached to Plaintiff's Complaint), Nationwide Home Office does not appear to have approved, signed off, or otherwise endorsed the change request in the section entitled, Home Office Use Only.

With respect to the Change of Beneficiary Request (Exhibit D, attached to Plaintiff's Complaint), Nationwide Home Office appears to have approved by way of a signature acknowledging that the secretary of the company agreed to the change we would contend that such approval was done without any due diligence by Nationwide.

This is what was meant by our previous answers to these specific interrogatories.

Respectfully submitted,
Fieger, Fieger, Kenney, Giroux & Danzig, P.C.

By:



GEOFFREY N. FIEGER (P30441)

JEFFREY A. DANZIG (P36571)

Attorneys for Defendants, Lupiloff, Only

Southfield, Michigan 48075

Telephone: (248) 355-5555

Facsimile: (248) 355-5148 (fax)

Dated: October 7, 2011

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATIONWIDE LIFE INSURANCE COMPANY,
a foreign corporation,

Plaintiff,

Civil Action

No. 2:11-cv-12422-AC-MKM

Honorable Avern Cohn

vs.

WILLIAM KEENE, JENNIFER KEENE,
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LUPILOFF, and NICOLE RENEE LUPILOFF,
PERSONAL REPRESENTATIVE OF THE
ESTATE OF GARY LUPILOFF, Deceased,

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Personal Representative of the Estate of
Gary Lupiloff, Deceased
19390 West Ten Mile Road
Southfield, Michigan 48075
Telephone: (248) 355-5555

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2011, I electronically filed the foregoing Certificate of Service regarding service of Defendants' Supplemental Answers to Plaintiff, Nationwide Life Insurance Company's Interrogatories with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record in this matter.

By: /s/ Jeffrey A. Danzig

Geoffrey N. Fieger (P30441)

Jeffrey A. Danzig

Attorneys for Defendants, Lupiloff

19390 West Ten Mile Road

Southfield, Michigan 48075

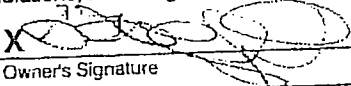
Telephone: (248) 355-5555

j.danzig@fiegerlaw.com

Dated: October 7, 2011.

This registration and your current Certificate of Michigan No-Fault Insurance must be carried in the vehicle or by the driver.

Both must be presented upon request of a police officer.

Commercial Vehicles Only - Signature Required
If an elected gross vehicle weight is selected, I declare this vehicle will not exceed that weight. I further certify if I operate or employ persons to operate this commercial vehicle, the operator will be knowledgeable of the Federal and State motor carrier safety regulations, including hazardous materials regulations.
 Owner's Signature

Present this registration when transferring this license plate to another vehicle.

12006 12:37 248 855-0430

2140 Walnut Lake Road

#1364 P.002 /004

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:

Gary H. Lupiloff, a/k/a Gary Harmon

Debtor.

Bankruptcy Case No. 07-65247

Honorable Thomas J. Tucker

Chapter 7

George P. Dakmak, Trustee,

Plaintiff.

v.

Adversary Case No. 08-04600

Thaddeus M. Stawick and Gary H. Lupiloff,

Defendants.

STIPULATION RESOLVING ADVERSARY PROCEEDING 08-04600

This matter having come before the Court upon stipulation of the parties hereto, and the parties agreeing that this settlement is not an admission by any party or an acknowledgment by any party as to the relative strength or weakness of its position, rather, it is a compromise to resolve the pending litigation; and the parties having represented to the Court that they are in agreement that the Order attached hereto as Exhibit "1" should be entered by the Court.

STEVENSON & BULLOCK, P.L.C.

/s/ Charles D. Bullock (P55550)

Attorney for the Debtor
29200 Southfield Road, Suite 210
Southfield, MI 48076
(248) 423-8200
cbullock@gatecom.com

/s/ Thaddeus M. Stawick

/s/ Gary H. Lupiloff

DAKMAK PEURACH, P.C.

James J. Tocco *with consent*
/s/ James J. Tocco (P68351) *Charles Bullock*
Attorney for the Plaintiff *(P55550)*
615 Griswold St., Suite 600
Detroit, MI 48226
(313) 964-0800
jtocco@gdakmak.com

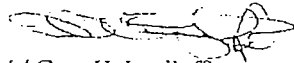
TRUSTEE'S REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Fed.R.Bankr. P. 7034 and Fed.R. Civ.P. 34, Plaintiff hereby requests that the Defendant produce for the Plaintiff, at the office of Plaintiff's counsel, within 30 days from the date of service of this request the following documents and things requested:

1. Each and every document that the Defendant identified, referred to, or used to support of any of the answers to Trustee's Interrogatories and Trustee's Request for Admissions.

Response: To the extent that Defendant has non-privileged documents which are responsive to this specific Request, they are available for inspection and copying at the offices of Stevenson & Bullock, P.L.C., 29200 Southfield Rd., Suite 210, Southfield, MI 48076.

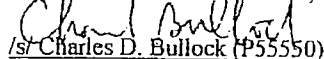
I, Gary H. Lupiloff, have read and provided all of the responses above, state that the same is/are true to the best of my information, knowledge and belief and answer the same under oath.



/s/ Gary H. Lupiloff
Gary H. Lupiloff, Defendant

Respectfully submitted,

STEVENSON & BULLOCK, P.L.C.


/s/ Charles D. Bullock (PS5550)

Attorneys for Defendant
29200 Southfield Rd., Ste. 210
Southfield, MI 48076
(248)423-8200
cbullock@gatecom.com

Dated: February 23, 2009

b21 (Official Form 21) (12/07)

STATEMENT OF SOCIAL-SECURITY NUMBER OR
INDIVIDUAL TAXPAYER-IDENTIFICATION NUMBER (ITIN)United States Bankruptcy Court
Eastern District of Michigan

COPY

In re Gary H. Lupilloff
AKA Gary Harmon

Debtor

Case No. _____

Address 2716 Ardmore
Royal Oak, MI 48073

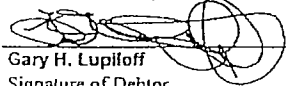
Chapter 7

Employer's Tax Identification (EIN) No(s). [if any]: _____

Last four digits of Social Security No(s): xxx-xx-9631

STATEMENT OF SOCIAL-SECURITY NUMBER(S)
(or other Individual Taxpayer-Identification Number(s) (ITIN(s)))1. Name of Debtor (enter Last, First, Middle): Lupilloff, Gary, H.
(Check the appropriate box and, if applicable, provide the required information.)☒ Debtor has a Social Security Number and it is: 368-64-9631
(If more than one, state all.)☐ Debtor does not have a Social Security Number but has an Individual Taxpayer-Identification Number (ITIN),
and it is: ____
(If more than one, state all.)☐ Debtor does not have either a Social Security Number or an Individual Taxpayer-Identification Number (ITIN).2. Name of Joint Debtor (enter Last, First, Middle): _____
(Check the appropriate box and, if applicable, provide the required information.)☐ Joint Debtor has a Social Security Number and it is: ____
(If more than one, state all.)☐ Joint Debtor does not have a Social Security Number but has an Individual Taxpayer-Identification Number and it
is: ____
(If more than one, state all.)☐ Joint Debtor does not have a Social Security Number or an Individual Taxpayer Identification Number (ITIN).

I declare under penalty of perjury that the foregoing is true and correct.

X  December 11, 2007
Gary H. Lupilloff
Signature of Debtor DateX _____
Signature of Joint Debtor Date*Joint debtors must provide information for both spouses.

Penalty for making a false statement: Fine of up to \$250,000 or up to 5 years imprisonment or both. 18 U.S.C. §§ 152 and 3571.

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Best Case Bankruptcy

Revised 01/07

**United States Bankruptcy Court
Eastern District of Michigan**

In re Gary H. Lupilloff

Debtor

Case No. _____

Chapter 7

BANKRUPTCY PETITION COVER SHEET

(The debtor must complete and file this form with the petition in every bankruptcy case. Instead of filling in the boxes on the petition requiring information on prior and pending cases, the debtor may refer to this form.)

Part 1

"Companion cases," as defined in L.B.R. 1071-1(c), are cases involving any of the following: (1) The same debtor; (2) A corporation and any majority shareholder thereof; (3) Affiliated corporations; (4) A partnership and any of its general partners; (5) An individual and his or her general partner; (6) An individual and his or her spouse; or (7) Individuals or entities with any substantial identity of financial interest or assets.

Has a "companion case" to this case ever been filed at any time in this district or any other district? Yes ___ No X
(If yes, complete Part 2.)

Part 2

For each companion case, state in chronological order of cases: (Attach supplemental sheets if necessary.)

	First Case	Second Case	Third Case
Name on petition			
Relationship to this case			
Case number			
Chapter			
Date filed			
District			
Division			
Judge			
Status/Disposition			

(Pending, confirmed & still open, confirmed & closed, dismissed before/after confirmation, discharged, etc.)

If the present case is a Chapter 13 case, state for each companion case:

Attorney

Legal fee

\$ _____

\$ _____

\$ _____

Proposed legal fee in this case \$ _____

Changes in circumstances which lead the debtor to reasonably believe that the current plan will be successful.

Part 3 - In a Chapter 13 Case Only

The Debtor(s) certify, re: 11 U.S.C. § 1328(f):

(indicate which)

Debtor(s) received a discharge issued in a case filed under Chapter 7, 11, or 12 during the 4-years before filing this case.

Debtor(s) did not receive a discharge issued in a case filed under Chapter 7, 11, or 12 during the 4-years before filing this case.

Debtor(s) received a discharge in a Chapter 13 case filed during the 2-years before filing this case.

Debtor(s) did not receive a discharge in a Chapter 13 case filed during the 2-years before filing this case.

I declare, under penalty of perjury that I have read this form and that it is true and correct to the best of my information and belief.

Debtor
Gary H. Lupilloff

Debtor

Date: December 11, 2007

M. Schultz
Debtor's Attorney
Marshall D. Schultz P38040
Law Offices of Marshall D. Schultz
24100 Southfield Road
Suite 203
Southfield, MI 48075
248-559-6930
marshallschultz@Ameritech.net

11
(005)United States Bankruptcy Court
Eastern District of MichiganIn re Gary H. Lupitloff

Debtor(s)

Case No.

Chapter 7

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

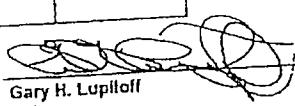
- ☒ I have filed a schedule of assets and liabilities which includes debts secured by property of the estate.
- ☐ I have filed a schedule of executory contracts and unexpired leases which includes personal property subject to an unexpired lease.
- ☒ I intend to do the following with respect to property of the estate which secures those debts or is subject to a lease:

Description of Secured Property	Creditor's Name	Property will be Surrendered	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
2006 Dodge Pick-up	Birmingham Bloomfield Credit Union				X
Location: 2716 Ardmore, Royal Oak MI	CU Financial Mortgage				X
Location: 2716 Ardmore, Royal Oak MI	Countrywide Home Loans				X

Description of Leased Property	Lessor's Name	Lease will be assumed pursuant to 11 U.S.C. § 362(h)(1)(A)
NONE		

Date December 11, 2007

Signature


 Gary H. Lupitloff
 Debtor

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer
 If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs this document.

Social Security No. (Required by 11 U.S.C. § 110.)

Address

X

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Best Case Bankruptcy

ENTER: 31438 PAGE: 440

7775156749

BY SUDHRI BELOW, borrower accepts and agrees to the terms and conditions contained in this Security Instrument and to any liens created by thereon and recorded with it.

Witness:

 (Sud) Gary Nelson, Plaintiff

____ (Sud) _____

____ (Sud) _____

____ (Sud) _____

____ (Sud) _____

COURT REPORT

Page 14 of 14

Form 1023 10/1

11-01003412

ENTER: 31438 PAGE: 442

ENTER: 31438 PAGE: 441

7775156749

STATE OF MICHIGAN

Oakland

County of

The foregoing instrument was acknowledged before me this November 30, 2008 by Gary Nelson Lapinoff, a single man

November 30, 2008

My Commission Expires: 11/30/2011
Notary Public, Oakland County, MI
Acting in _____ Capacity

This instrument was prepared by: **SALE SMITH**
Quickstart Loans, Inc.
20555 Village Parkway
Livonia, MI 48152

Acting in Oakland County.

COURT REPORT

Page 14 of 14

Form 1023 10/1

11-01003412

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

In re:
Gary H. Lapinoff

Chapter 7
Case No. 11-41341
Honorable Thomas J. Tuckey

Debtor(s)

NOTICE OF RETURN FOR RELIEF FROM THE AUTOMATIC STAY

Michigan Electronic Reporting System, Inc. is solely responsible for its accuracy and or original has filed papers with the court to SA the automatic stay.

You should read these papers carefully and discuss them with your attorney. If you have one in this bankruptcy case, (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to SA the automatic stay, or if you want the court to consider your views on the Motion for Relief From the Automatic Stay, you or your attorney must:

File with the court a written response or an answer to me or before 15 days from the date of service of this Notice and Motion, explaining your position as:

United States Bankruptcy Court
211 West Fort Street
Detroit, MI 48226

If you send your response to the court for filing, you must email it early enough so the court will receive it on or before the date above. You must also mail copies to:

George P. Olsman
413 Griswold
Suite 600
Detroit, MI 48226

Debra Associates PC
P.O. Box 3041
Troy, MI 48067-3041

If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may order an order granting the relief.

Date: March 1, 2013

By: Of/Through P. Olsman, P.C.

Debra Associates, P.C.
Attorneys for Michigan Electronic Reporting
System, Inc. as solely responsible for its
accuracy and or original
P.O. Box 3041
Troy, MI 48067
(414) 477-1000
File Number: 11-41341

¹ Response or answer must comply with F.R.C.P. 10(b), (c) and (d).

EXHIBIT A - LEGAL DESCRIPTION

Deed Number: 11-01003412 Title Number: 11-01003412 REV. NO. 1

Tax ID Number: 26-1118-003

Land situated in the City of Royal Oak, in the County of Oakland, State of Michigan is described as follows:

The North 24.30 feet of the West 150 feet of Lot 33, the South 20 feet of the West 150 feet of Lot 42, EYSTER AND HOWARTH SUBDIVISION, as recorded in Liber 6 on Page(s) 22 of Plate.

Commonly known as: 7718 Ardmore, Royal Oak, MI 48073

This Commitment is valid and binding for a period of 180 days from the date hereof. Thereafter it is void and of no effect.

ALFA COMMUNITY - Associate & Insurance Company

FIDELITY NATIONAL TITLE

MICHIGAN REGISTRATION

TERRI LYNN LAND
Secretary of State

Plate: BTU5466 Expires: 11/29/2010
RENEWAL TRANSFER
2000 JAGUAR 4 DOOR
Vehicle No.: SAJDA01D6YGL13008 Fee Cat. or Wt.: 000048
L 141 271 298 911 County: OAKLAND

GARY HARMON LUPILOFF
2716 ARDMORE AVE
ROYAL OAK

MI 48073



BTU5466 G

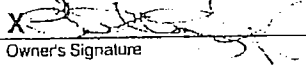
License Fee: 185.00

12162009 CN X350 185 0119 500.00

TR-1

This registration and your current Certificate of Michigan
No-Fault Insurance must be carried in the vehicle or
by the driver.

Both must be presented upon request of a police officer.

Commercial Vehicles Only - Signature Required
If an elected gross vehicle weight is selected, I declare this vehicle will not exceed that weight. I further certify if I operate or employ persons to operate this commercial vehicle, the operator will be knowledgeable of the Federal and State motor carrier safety regulations, including hazardous materials regulations.
 Owner's Signature

Present this registration when transferring this license
plate to another vehicle.